

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1210 be amended to read as follows:

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 4-6-3-6 IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2007]: Sec. 6. If a person objects or otherwise
5 fails to obey a written demand issued under section 3 of this chapter,
6 the attorney general may file in the circuit or superior court of:
7 (1) the county in which that person resides or maintains a
8 principal place of business within the state; **or**
9 (2) **Marion County, if that person does not reside in Indiana**
10 **or maintain a principle place of business within Indiana;**
11 an application for an order to enforce the demand. Notice of hearing
12 and a copy of the application shall be served upon that person, who
13 may appear in opposition to the application. The attorney general must
14 demonstrate to the court that the demand is proper. If the court finds
15 that the demand is proper, it shall order that person to comply with the
16 demand, subject to such modification as the court may prescribe. Upon
17 motion by that person and for good cause shown, the court may make
18 any further order in the proceedings which justice requires to protect
19 him from unreasonable annoyance, embarrassment, oppression, burden,
20 expense, or to protect privileged information, trade secrets or
21 information which is confidential under any other provision of law. If
22 the court finds that either party has acted in bad faith in seeking or
23 resisting the demand, it may order that person to pay the other parties
24 reasonable expenses including attorneys' fees."

- 1 Renumber all SECTIONS consecutively.
 (Reference is to HB 1210 as printed February 8, 2007.)

Representative Van Haaften